

Earlysville Forest Homeowners Association
Homeowners Fall 2020 Update

The Covid leaves us again unable to gather for our Fall Homeowners Meeting so we are providing this written message on the state of our Association.

Our dam restoration project on ponds one, two and three has been completed. The ponds and dams are our most expensive infrastructure costs and we drew down our capital improvement budget by \$94,000. The good news is that this work should last well beyond our ten year planning window and allow us to rebuild our capital fund without any change to the current budget. The Stillwater Road Fund is also on track to cover future road expenditures and so there will be no increase in homeowners or road fund dues.

Dominion Energy is in the process of completing the promised placement of powerlines underground from Stillwater Road up past the Wakefield kennels. We hope this will reduce the risk of storm induced power outages. The storm that did hit us this summer was devastating to our forest. But it was impressive how quickly neighbors stepped up to help each other and to clear our roads. Thank you so much to everyone. We want to extend our gratitude to Robin Macklin and his crew of volunteers for clearing our trail system which was hit especially hard.

The covenants prohibit any signs but for sale signs limited to six square feet. We have long agreed to an exception during election season for campaign signs no larger than the for sale signs to be placed one month prior to election and removed promptly thereafter. Please respect everyone's personal right to free expression and refrain from damaging or removing signs.

For so many reasons we look forward to seeing everyone in person at our next meeting in the Spring. As not everyone receives emails, we will be following up with a mailing of this message to all homeowners. In order to save expenses please respond to secretary@earlysvilleforest.org if you consider this email sufficient and do not need the mailing. That should make things easier and will be greatly appreciated.

Be Well,
Your Earlysville Forest Homeowners Association Board

Board Meeting of the Earlysville Forest Homeowners Association

September 10, 2020

This meeting was held via Zoom conference call because of the COVID-19 pandemic. Participating board members were: Brian McCay, Jane McQueen, Mike Kennedy, Mark Seago, Barbara Pascoe and Terri McCay. Wendy Atkins and Robin Macklin were not able to participate.

7:30 PM Brian McCay called the meeting to order. The minutes for the Board Meeting held April 5, 2020 had been approved via email.

New Business: It was discussed that no Fall Homeowner's Meeting will be taking place as usual in September of 2020 in the cafeteria of Broadus Wood Elementary School because of the pandemic. It was agreed upon that an overview of budget matters and the work on the dams will be sent to all homeowners via email followed-up (if necessary) with a mailing.

President: It was brought to the board's attention that dumping of tree debris was occurring on Aqua Virginia's lot off of Stillwater Lane. Brian McCay sent out an email to all residents asking for assistance in determining who was doing the dumping. Jane & Mike McQueen told the board members they witnessed who was doing the dumping and they were given a warning. It is the hope of the board that the dumpers will heed the warning and it is suggested that not many homeowners will be using their services in the future.

Treasury: It was reported that 100% of the dues have been collected. \$94,000 has been spent on the completion of repairs to Dams 1, 2 and 3.

All present board members were in agreement there will no increase in HOA dues for 2021 as well as no increase for the Road Fund for Region 1. Therefore, our HOA dues for 2021 will remain at \$176 and the road fund dues will remain at \$366.

Maintenance: The access roads to Ponds 2 and 3 will be regraded due to damage done by the equipment used to work on the dams.

The Earlysville Forest Residents Only sign at Pond 1 is deteriorating. Mike Kennedy will look into getting replacement signs and also evaluate the need to refresh the signs at both entrances to Earlysville Forest. Brian McCay will consult with an arborist on the condition of the red bud tree by the sign at the north entrance.

Architectural Review: It was agreed upon that a reminder to all residents of lawn maintenance should be sent. As of September 14, 2020, these reminders have been sent.

Brian McCay adjourned the meeting at 8:10 PM.

Earlysville Forest Homeowners Association
Homeowners Spring 2020 Update

The Coronavirus social distancing requirements leave us unable to gather for our normal Spring meeting, so we are providing members with this update on the state of our association.

In most major aspects our neighborhood is in good condition. There are no outstanding problems with roads or utilities. The power company is still planning to route a portion of the overhead power line underground in the vicinity of the Wakefield Kennel as we reported last Fall, but there is no start date determined. Aqua has completed the new well on Earlysville Forest Drive and it is in operation. The good news on our water situation is that the aquifer has filled completely and there should be no worries on water availability. We have renewed our mowing contract with D&D and they have completed the work begun last summer on regrading and gravelling all pond access roads. We are still planning and negotiating a graveled parking area near pond one by the hydrant, though nothing is finalized. On the subject of mowing, please remember that it is our individual responsibility to keep the road frontage of our lots cut.

The biggest infrastructure concerns have been with our pond system. The pump at pond one powering the hydrant needed overhaul, as it did four years ago. The overhaul is completed and the pump is in operation. Maintaining the pump is a significant expense that is figured into our capital budget, but of course having the hydrant in our neighborhood directly affects our fire safety and does lower the costs in most of our homeowner's insurance premiums. It has been brought to our attention that some insurers require the pump/hydrant be maintained by a governing authority (not a homeowner's association) to qualify as "official." To that end we have gotten Chief Richardson of the Earlysville Fire Company to agree to a letter confirming that the pump is under their supervision and control.

Last Summer a sinkhole found on the dam at pond three led to the discovery that the drainage system on three of our ponds was seriously deteriorating and threatening the dams. We engaged an engineer and contracting company to upgrade and replace the overflow drains and spillways. Work has been completed on dams one and three, with dam two completion planned for early June. It is expected that these rebuilds will last for many years. As the cost of maintaining our ponds and especially dams is our biggest capital expense, the board is evaluating the need to restore our capital budget going forward and will address this subject at the Fall meeting.

In addition to our ponds and creeks we have an extensive trail system throughout the common area of our neighborhood. The trails need to be kept in shape by mowing, deadfall removal and small bridge placement. We have traditionally managed this with volunteer help and we encourage and welcome any resident who would like to join in. Anyone interested please contact us at maintenance@earlysvilleforest.org. Consider also that these common areas are shared by all of us, so it is important to notify the association before cutting or improving one's lot in any way. It may not always be obvious where your lot ends and common property begins.

We sincerely hope that we will hold our Fall homeowners meeting as usual at the Broadus Woods school. But this e-message will have to do for the Spring. As not everyone receives emails, we will be following up with a mailing of this message to all residents. **In order to save mailing expenses, please respond to secretary@earlysvilleforest.org if you consider this email to be sufficient and do not need the mailing.** That should make things a bit easier and will be greatly appreciated.

Have a safe and happy summer,
Your Earlysville Forest Homeowners Association Board

Board Meeting of the Earlysville Forest Homeowners Association

April 5, 2020

This meeting was held via Zoom conference call because of the COVID-19 pandemic. Participating board members were: Brian McCay, Jane McQueen, Mike Kennedy, Barbara Pascoe and Terri McCay. Mark Seago, Wendy Atkins and Robin Macklin were not able to participate.

4:00 PM Brian McCay called the meeting to order. The minutes for the Board Meeting held September 4, 2019 had been approved via email by September 17, 2019.

New Business: It was discussed that no Spring Homeowner's Meeting will be taking place as usual in May of 2020 in the cafeteria of Broadus Wood Elementary School because of the pandemic. It was agreed upon that an overview of budget matters, work on the dams, status of amendment, lawn maintenance, fire hydrant, etc. will be sent to all homeowners via email followed-up (if necessary) with a mailing.

Treasury: It was reported to board members present that \$80,000 has been spent on the completion of repairs to Dams 1 and 3. Approximately \$25,000 will be used to finish the repairs at Dam 2. Repairs were completed on the hydrant pump at a cost of \$4,700.

Due to the large expenditures on the dams and pump, there was discussion on the best way to replenish the capital fund. It was agreed that a final decision would be made at the next Board meeting after all improvements were finished and exact financial status was known.

Maintenance: Repairs were completed on the hydrant pump and it is returned to operation. Discussion followed on ceding control of pump operation and possible cost sharing with the Earlysville Volunteer Fire Department. We plan to negotiate the changes but have been unable yet to arrange a meeting with the fire department.

New grass cutting and landscaping contracts with D&D have been signed for the year with no cost increases.

Architectural Review: It was agreed upon that a reminder to all residents of lawn maintenance should be sent.

Brian McCay adjourned the meeting at 4:40 PM.

Board Meeting of the Earlysville Forest Homeowners Association

September 4, 2019

Present: **Board Members:** Brian McCay, Mark Seago, Jane McQueen, Mike Kennedy, Wendy Adkins, Barbara Pascoe and Terri McCay

Robin Macklin was not able to attend.

7:30 PM Brian McCay called the meeting to order. The minutes for the Board Meeting held April 17, 2019, had been approved via email by April 29, 2019.

New Business: The number of homeowners expressing concern about the Family Day Home in the homeowners' meeting held May 28, 2019, initiated discussions with a lawyer by Brian McCay. It was determined that the EFHOA Declaration as written would not allow the Association an argument in a court of law preventing a homeowner from operating a Family Day Home. In accordance with Virginia Code 63.2-100, allowing a Family Day Home to be established overrides HOA covenants but a reasonable restriction of the number of children cared for can lead to a better argument if the HOA finds the need to take a homeowner to court. Therefore, Brian McCay drafted an amendment to our covenants which will need the approval of 2/3 of homeowners to officially make the amendment part of EFHOA covenants. All board members present were in agreement with presenting the amendment to all homeowners. An email was sent to homeowners present at the May 28, 2019 meeting stating our findings and declaring our intention of amending the Declaration of Covenants. These notices will be mailed to each homeowner. [This amendment will not be retroactive and therefore will not affect the Family Day Home of Ms. Elizabeth Gruss of 1141 Fox Ridge, whose case illustrated the need for this amendment.]

Treasury: 100% of homeowners dues have been collected for 2019. There will be no change in homeowners dues for 2020.

Maintenance: D&D was contracted to gravel all access roads to the ponds. This project has been completed. The pumphouse will be getting a clean-up of landscaping with new bushes put in by D&D.

All board members present were in agreement to sign the contract from Chris Webster of Underhill Engineering in connection with the repairs to the Dams with the priority emphasis given to the Dam 3 sinkhole. Mr. Webster will inform us of contractors he will suggest for the job under his oversight and the board will be presented with the itemization of the cost for each Dam.

Architectural Review: Two properties' road frontage will be mowed by D&D and the homeowners sent the bill. Jane McQueen will request that the county assess two properties, one on Fox Ridge and one on Blue Flint, with abandoned cars and debris in the yards to confirm whether they meet the criteria for nuisance property designation.

Fall 2019 Meeting: The homeowners association meeting will be held September 17, 2019 at 7:30 p.m. in the cafeteria of the Broadus Wood Elementary School.

Brian McCay adjourned the meeting at 8:30 PM.

These Board Minutes were approved by all board members present via email as of 9/17/19.

Board Meeting of the Earlysville Forest Homeowners Association

April 17, 2019

Present: Board Members: Brian McCay, Jane McQueen, Mike Kennedy, and Wendy Adkins

Terri McCay, Mark Seago, Robin Macklin, and Barbara Pascoe were not able to attend.

7:30 PM Brian McCay called the meeting to order. The minutes for the Board Meeting held September 18, 2018, had been approved via email by October 1, 2018.

New Business: We reviewed and discussed the proposal by Ms. Elizabeth Gruss of 1141 Fox Ridge to run an in-home child care business on her property. Ms. Gruss had proposed enrolling up to twelve (12) children, as allowed by the required Albemarle County Family Day Home Exception she was seeking. Her business proposal was accepted by the Association on February 23 2019, with the expressed stipulation that it be operated following the defined limit of the relevant covenant to five (5) children. As her response to the Board and her presentation to the County made clear her intention to exceed the five-child limit of the covenant, we discussed our options to deal with any violations. It was agreed our best action was to petition the County Board of Supervisors to modify the Special Exception award to conform with the HOA covenant limit of five (5) children. Accordingly, Brian McCay will present our case at the County Board of Supervisors hearing on May 1, 2019, accompanied by other HOA board members able to attend. Mike Kennedy agreed to speak with neighbors of Ms. Gruss who had expressed to him their disapproval of the child care business and invite them to attend the hearing or provide affidavits for us to carry.

Treasury: Homeowners dues collection was discussed with five delinquent payments and expectations that the warrant-in-debt process instituted last year should again get hold-outs to pay.

Maintenance: Mike Kennedy reported on continuing efforts to contract grading and gravelling for pond access roads. Planned placement of graveled parking area at Pond #1 needs to be negotiated with neighbor whose property line extends into area first planned for lot. Mike thinks he can get agreement and cooperation from neighbor.

It was agreed to continue contract with Mr. Kauffman to treat ponds, concentrating on water shield and algae eradication.

Dam #3 has developed a sinkhole that needs to be filled and Mike will oversee that job.

Discussed need to ask for more association volunteers to help with trail maintenance and pumphouse painting at next meeting. If no volunteers, it was agreed to contract with professionals. Also agreed to ask for volunteers to plant/maintain entrance sign areas, and if no volunteers, contract with D&D.

Spring 2019 Meeting: The homeowners association meeting will be held May 28, 2019 at 7:30 p.m. in the cafeteria of the Broadus Wood Elementary School.

Brian McCay adjourned the meeting at 8:30 PM.

Board Meeting of the Earlysville Forest Homeowners Association

September 18, 2018

Present: Board Members: Brian McCay, Mark Seago, Mike Kennedy, Wendy Adkins, and Terri McCay.

Jane McQueen, Robin Macklin, and Barbara Pascoe were not able to attend.

7:30 PM Brian McCay called the meeting to order. The minutes for the Board Meeting held March 27, 2018, had been approved via email by April 7, 2018.

New Business: We are in need of a new webmaster for the webpage of Earlysville Forest. An email will be sent out to the neighborhood asking for volunteers to keep the webpage up-to-date.

It was agreed that a new directory survey will be sent to update the Earlysville Forest Homeowners Directory. Terri will be mailing the survey to residents by September 28, 2018.

Architectural Report: There was nothing to report from the Architectural Committee. The majority of people responded well to the letters sent out in the spring regarding grass cutting.

Maintenance: The pump in the pumphouse is leaking oil so Mike Kennedy will seek out the proper repairs to be done.

Brian McCay and Wendy Adkins summarized discussions each had with Aqua Virginia concerning water quality measured at the Carriage Hill well. Aqua is considering adding a caustic at the well head to adjust the pH level after additional testing.

Some grass carp were added to Pond 4 to help with the clean up of the extra vegetation growing there. Ponds 1 and 2 responded very well to the treatments provided this year in getting rid of the water shield and we expect to repeat treatment in the Spring of 2019. John Kauffman, LLC has been contacted regarding our next phase of the aeration in the ponds.

Mike Kennedy is in communication with D&D regarding repairs to the entrances to the ponds: specifically, the entryway to Pond 1 from Stillwater, the top of the hill beside Earlysville Forest drive where cars are being parked and walking down to the pond, and leveling/graveling the entrance trails to Ponds 2 and 3. Once there is a comprehensive proposal, Mike will forward this to the board members for approval.

Budget: The budget will remain substantially the same as last year and will be updated for board approval prior to the Fall Homeowners' Meeting. It was decided by all present board members that the yearly homeowners' dues will remain the same for 2019: \$176 for the general fund and an additional \$366 for the Stillwater road fund.

Fall 2018 Meeting: The homeowners association meeting will be held October 23, 2018 at 7:30 p.m. in the cafeteria of the Broadus Wood Elementary School.

Brian McCay adjourned the meeting at 8:10 PM.

As of October 1, 2018, all board members present approved these minutes.

Board Meeting of the Earlysville Forest Homeowners Association

March 27, 2018

Present: Board Members: Brian McCay, Mark Seago, Jennifer Dimeo, Mike Kennedy, Wendy Adkins, Barbara Pascoe and Terri McCay.

Jane McQueen and Robin Macklin were not able to attend.

7:35 PM Brian McCay called the meeting to order. The minutes for the Board Meeting held September 26, 2017, had been approved via email by October 5, 2017.

New Business: Jennifer Dimeo will be stepping down as Treasurer. A need for a replacement volunteer will be announced at the homeowners' spring meeting. The suggestion was made that Terri McCay take over the Treasurer duties if there were no volunteers. All present were in agreement.

Architectural Report: There was nothing to report from the Architectural Committee.

Maintenance: The use of D&D for the removal of trees from the roadside was successfully accomplished at a cost of approximately \$1,700.

There has been a need again for removal of beavers from Pond 2.

The work on the ponds by John Kauffman, LLC will begin at the end of May 2018.

There has been no further progress on Well 10 at this time. It is ready to go for the pumphouse to be built and to finish the landscaping.

Spring 2018 Meeting: The homeowners association meeting will be held May 1, 2018 at 7:30 p.m. in the cafeteria of the Broadus Wood Elementary School.

Brian McCay adjourned the meeting at 8:08 PM.

As of April 7, 2018, the Board members present at this meeting have approved these minutes via email communication.

Board Meeting of the Earlysville Forest Homeowners Association

September 26, 2017

Present: Board Members: Brian McCay, Mark Seago, Jennifer Dimeo, Jane McQueen, Robin Macklin, Mike Kennedy, Wendy Adkins and Terri McCay.

Barbara Pascoe was not able to attend.

7:35 PM Brian McCay called the meeting to order. The minutes for the Board Meeting held March 28, 2017, were approved.

New Business: Mike Kennedy has brought to the attention of the board the need for an amendment to the covenants regarding television antennae. Our existing covenants are in violation of the 1996 Telecommunications Act and subsequent Federal Communications Commission policy. This matter will be researched further and appropriate language drafted to amend the covenants.

Region 1: For properties in Region 1, Mark Seago and Jane McQueen will address the issue of property with overhanging trees affecting the roadways by notification to the property owners.

Treasurer's Report: A draft budget for 2018 was presented to the Board. Jennifer Dimeo is working with our accountant for final numbers. It was suggested that ideas be heard for improvements to the neighborhood. Such ideas were beautifying the entrances and the installation of grills and picnic tables. It has already been determined that playground equipment on common property would result in high insurance rates for the homeowners' association.

Architectural Report: The Architectural Committee will be doing an inspection of the neighborhood with respect to lawn care and maintenance of personal property and send reminder letters of homeowners' responsibilities for the integrity of the neighborhood to anyone in violation. Jane McQueen suggested that we consider asking D&D (our lawn care contractor for common property) to do all road frontage; even if that road frontage is personal property as opposed to common property. It was the general consensus that this may cause too much confusion with homeowner's knowledge of their responsibilities.

Maintenance: The contract with D&D for common property maintenance will be reviewed for the upcoming renewal. The bush-hogging of the backside of the dam at Pond 2 will need to be added to the contract.

Ponds: Through much discussion with the Virginia State departments concerned with fisheries and water management, Brian McCay met with two different contractors – Solitude Lake Management and John Kauffman, LLC. Mr. McCay suggested to the board that Mr. Kauffman was very qualified to take care of the watershed problem in Ponds 1 and 2 at a more reasonable price than Solitude Lake Management. Herbicides will need to be used in the Spring of 2018 with the possibility of another application in the Fall.

Ponds (Cont'd): Mr. McCay will forward all proposal information from Solitude Lake Management and John Kauffman, LLC to the board members, including the name of the herbicides to be used, and ask for agreement to contracting John Kauffman, LLC.

Fall 2017 Meeting: The homeowners association meeting will be held October 24, 2017 at 7:30 p.m. in the cafeteria of the Broadus Wood Elementary School.

Brian McCay adjourned the meeting at 8:45 PM.

Board Meeting of the Earlysville Forest Homeowners Association

March 28, 2017

Present: Board Members: Brian McCay, Jennifer Dimeo, Robin Macklin, Jane McQueen, Barbara Pascoe and Terri McCay.

Mark Seago and Wendy Adkins were not able to attend.

7:35 PM Brian McCay called the meeting to order. The minutes for the Board Meeting held September 20, 2016 were approved.

Old Business: Our federal and state taxes have been filed at a cost of \$11,897 in back taxes and penalties for years 2011 through 2014 plus \$5,500 in fees to the accounting firm, Hantzmon Wiebel LLP. Our 2015 and 2016 returns have been filed.

New Business: There has been cutting of many trees on the Ayres property. The Ayers property joins the Earlysville Forest property on it's northern edge between Carriage Hill Drive and Rt. 743. Lots which share that boundary with Ayers are: Lots on the west side of Carriage Hill Dr. (139,140,141); lots on the northern side of Earlysville Forest Dr. between Carriage Hill Dr. and Rt. 743 (142 through 146); and lots on the northern side of Quail Ridge Circle (176 through 182). It was explained that property owners should be on the alert with regard to their boundaries and to contact law enforcement if any of their property is disturbed.

The Board has approved the 2017 Rules for the Community Garden.

Region 1: Mark Seago has asked the Board to approve contracting D&D for trimming of trees on common property in Region 1 that impede traffic. He will also contact any Region 1 homeowners that will need to take care of trimming/cutting their own property's trees that are impeding traffic. The Board has approved contracting D&D for common property work needing to be done in Region 1.

Board Positions: The position on the Maintenance Committee is still open.

Treasurer's Report: A new money market account was opened in the amount of \$50,000. This account has no due date and therefore no penalties for withdrawal.

Maintenance: Another survey on projection of costs for dam improvements will need to be done within the next year. Steps are being taken to begin mowing the trails and the cutting back of trees on the trails. New bridges have been built. The spillways have been projected to be holding up for now and this can be looked at again in the future. It was suggested that a landscape architect may be used to review the dams for preventative maintenance. It was also suggested that the State may be able to assist with the evaluation of our dams. The removal of the strangling vegetation in our ponds will need a more serious evaluation and a Richmond company has been contacted.

We have received notice from Aqua Virginia that a leak has occurred. An email will go to homeowners to check their own water lines by checking their meter while their water is off. *[Since this meeting, a homeowner reported the leak which was causing 10,000 gallons a day to be lost. Aqua Virginia has repaired this leak.]* Well No. 10 will need to be built and we are now waiting for Aqua Virginia's proposal and will ask the Board for approval of the easement which will be in the common area near Trillium Drive. It is hoped this will be complete within the next three (3) months.

Spring 2017 Meeting: The homeowners association meeting will be held May 9, 2017 at 7:30 p.m. in the cafeteria of the Broadus Wood Elementary School.

Brian McCay adjourned the meeting at 8:38 PM.